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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,062	11/02/2001	Rob E. Vogelaar	010579	4927

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BRIARCLIFF MANOR, NY 10510

EXAMINER

PARSONS, CHARLES E

ART UNIT PAPER NUMBER

2613

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,062

Applicant(s)

VOGELAAR ET AL.

Examiner

Charles E Parsons

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-12 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 5-7, 13-15, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2613

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 8-12, 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vince in view of Gonzales.

Claim 1, 9, 17: An apparatus Capable of processing a multimedia digital bitstream, said apparatus comprising:
wherein each of said plurality of media processors is capable of splitting said portion of said multimedia digital bitstream into a primary bitstream and secondary bitstream, (See Vince figure 1 item 30, items 32 and 34 are primary and secondary bit streams)
and capable of processing said primary bitstream, and capable of merging processed primary bitstream with said secondary bitstream. (See Vince figure 1 item 70)
a processing chain comprising a plurality of media processors wherein each of said plurality of media processors is capable of processing a portion of said multimedia digital bitstream (While Vince does not disclose the use of multiple processors Gonzales does, See Gonzales column 4 lines 41-46 as well as column 4 line 68 through column 5 line 2 and figure 1. At the time the invention was made it was well known in the art that using multiple processors would result in processing data in a shorter period of time. Therefore it would have been obvious to one of ordinary skill in the art to use a plurality of processors to speed the transcoding process motivated by Gonzales' teaching in column 1 lines 33-46

Art Unit: 2613

that when image data is being processed, it must be done quickly so that no visual artifacts are made apparent due to delayed image data.)

Claim 2, 10: The apparatus as claimed in Claim 1 wherein the number of said plurality of media processors may vary from two to N, where N is an integer number greater than two. (See Gonzales figure 1 wherein he shows three stages each performing a process, meeting the claim limitation.)

Claim 3, 11: The apparatus as claimed in claim 1 wherein said multimedia digital bitstream comprises a high definition digital video signal. (See Vince abstract.)

Claim 4, 12, 18: The apparatus as claimed in Claim 1 wherein each of said plurality of media processors comprises a bitrate transcoder unit capable of transcoding a portion of said multimedia digital bitstream. (See Vince figure 2).

Claim 8, 16: The apparatus as claimed in claim wherein said processing chain further comprises:
an input block coupled a first media processor in said processing chain, wherein said input block is capable of receiving multimedia data real time from one computer file, bitpump, and a radio frequency front end; an output block coupled last media processor said processing chain, wherein said output block outputting multimedia data in real time in one of: a computer file capable of format, and a transport stream format. (See Vince figure 1 items 20 and 75)

Allowable Subject Matter

3. Claims 5-7, 13-15, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The elements of the claims were not found nor

Art Unit: 2613


considered obvious by the Examiner. In particular, the BRT' transcoder is defined in the specification as a transcoder capable of transcoding the primary stream as a subset of the original stream. I.e. in the example given in the current specification, every third slice of the original stream, is processes in each of the three processing stages of the chain.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Parsons whose telephone number is 703-305-3862. The examiner can normally be reached on M-TH 7AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CEP


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600